

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

MAR 13 2008

JOHN F. CORCORAN, CLERK
BY: *J. F. Corcoran*
DEPUTY CLERK

In accordance with the written Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that the motion to dismiss is **GRANTED**; the above referenced petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** without prejudice for failure to exhaust state court remedies, and this action is stricken from the active docket of the court.

ENTER: This 13th day of March, 2008.

James L. Ture
Senior United States District Judge